

ZB# 95-57

Schlesinger's / Remax

4-3-11

Prelim.
November 13, 1995

95-57 Schlesinger/RE/MAX

4-3-11

Sign Variance

Dan Clarino

has ap. ✓

~~Order list - 11/14/95.~~

Need copies of:

- ① Lease - 4
- ② Photos ✓
- ③ Fees: \$150.00 ✓
- ④ Proxy letter ✓

Notice to Sentinel 11/14/95

Public Hearing:

Nov. 27, 1995.

Area
Variance
for signs

Refund \$390.48

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15148

Nov. 27 19 95

Received of Benchmark Realty Group \$ 150.00

One Hundred fifty 00/100 DOLLARS

For ZBA #95-57

DISTRIBUTION:

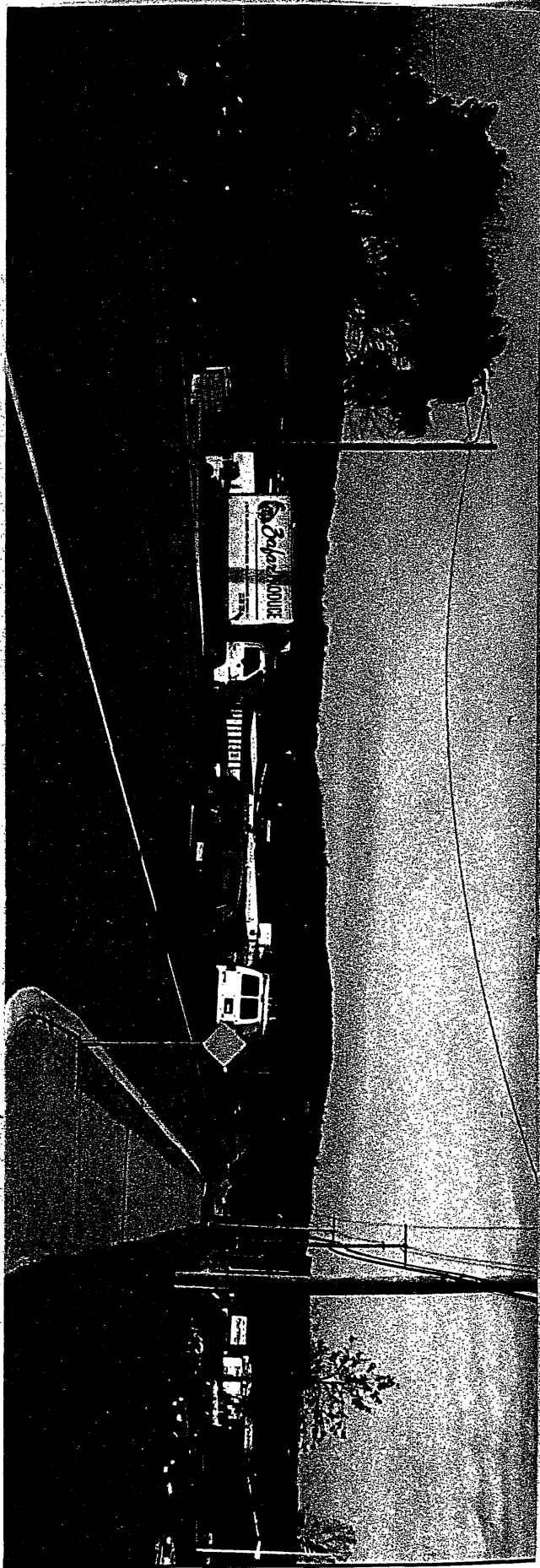
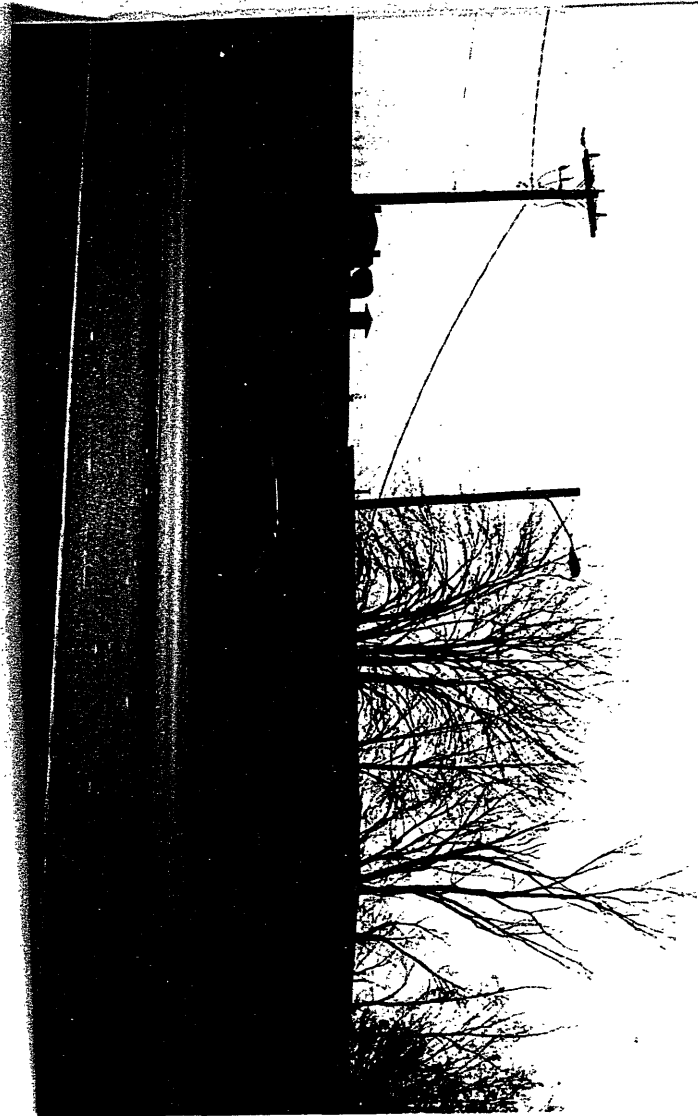
FUND	CODE	AMOUNT
ck # 8139		150.00

By Dorothy H. Hansen

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Re/Max / 293 Temple Hill Rd.

FILE # 95-57

RESIDENTIAL: \$ 50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA ☐

USE ☐

APPLICATION FOR VARIANCE FEE \$ 150.00 # 8138
* * * * * 11/28/95.

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00 # 9139
11/28/95.

DISBURSEMENTS -

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING - PER PAGE . 11/13/95 - 5 pages \$ 22.50
2ND PRELIM. MEETING - PER PAGE 12/11/95 - 3 pages \$ 13.50
3RD PRELIM. MEETING - PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 36.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: . 11/13/95 - 35.00 \$ 35.00
2ND PRELIM. . . . 12/11/95 - 35.00 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING \$
PUBLIC HEARING \$
TOTAL \$ 70.00

MISC. CHARGES:

Letters - 11 @ 32¢. \$ 3.52
TOTAL \$ 109.52

LESS ESCROW DEPOSIT . . . \$ 500.00
(ADDL. CHARGES DUE) . . . \$
REFUND DUE TO APPLICANT . \$ 390.48

(ZBA DISK#7-012192.FEE)

Refund due



RE/MAX®

BENCHMARK REALTY GROUP

OPERATING ACCOUNT
NEW WINDSOR BUSINESS PARK
100 COMMERCE DRIVE
SUITE 105
NEW WINDSOR, NY 12553

FLEET BANK
NEWBURGH, NY 12550
29-1/213

8139

11/27/95

PAY TO THE
ORDER OF

Town of New Windsor

\$ *****150.00

One Hundred Fifty and 00/100***** DOLLARS

Town of New Windsor

MEMO Sign Permit ZBA #95-57

Daniel O'Brien

⑈008139⑈ ⑆021300019⑆ 51899 14603⑈



RE/MAX®

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OPERATING ACCOUNT
NEW WINDSOR BUSINESS PARK
100 COMMERCE DRIVE
SUITE 105
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FLEET BANK
NEWBURGH, NY 12550
29-1/213

8138

11/27/95

PAY TO THE
ORDER OF

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\$ *****500.00

Five Hundred and 00/100***** DOLLARS

Town of New Windsor

MEMO Sign Permit Deposit - ZBA #95-57

Daniel O'Brien

⑈008138⑈ ⑆021300019⑆ 51899 14603⑈

-----x
In the Matter of the Application of

NEIL SCHLESINGER and RE-MAX BENCHMARK
REALTY GROUP,

DECISION GRANTING
AREA VARIANCE
FOR SIGN

#95-34.
-----x

WHEREAS, NEIL SCHLESINGER, 296 Temple Hill Road, New Windsor, New York 12553, owner, and RE/MAX BENCHMARK REALTY GROUP, with an office at 100 Commerce Drive, Suite 105, New Windsor, New York, 12553, lessee, have made an application before the Zoning Board of Appeals for an additional free-standing sign, 3 ft. x 4 ft. for the RE/MAX Gallery in variance of Section 48-18H(1)(a)[4] of the Supplemental Sign Regulations which restricts two free-standing signs on same lot unless they are 300 ft. apart at location, 293 Temple Hill Road in a PI zone; and

WHEREAS, a public hearing was held on the 27th day of November, 1996, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by Daniel B. Clarino, real estate broker with RE/MAX; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to the application before the Board; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The subject property is a commercial property located on Temple Hill Road in the Town of New Windsor.

(b) The subject property consists of a restaurant building and a small additional accessory building.

(c) RE/MAX proposes to use the small additional accessory building as a non-manned information center.

(d) RE/MAX proposes to change the existing sign to reflect its use.

(e) Prior to this time the small accessory building has been used as a retail gift shop.

(f) There is existing a sign in front of the building approximately 3 ft. x 4 ft., non-illuminated, which has been there since the mid 1980's.

(g) RE/MAX proposes to replace that existing sign with its own sign of the same size.

(h) No complaints have been made about the existing sign.

(i) The existing sign is consistent with the neighborhood, district and area.

(j) The proposed sign would be permitted except that it is too close to the existing restaurant sign, being approximately 180 ft. The code would allow this sign provided that it were 300 ft. from the other sign.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The variance created is not substantial and should be granted because given the nature of the neighborhood, it is necessary for adequate identification of this business.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is not self-created since the sign has been there in the dimensions proposed and in the place proposed for a considerable time and was placed there by others.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

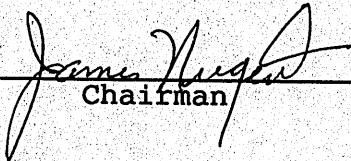
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT the sign area variance requested in the first paragraph of this decision at the proposed RE/MAX GALLERY located at 293 Temple Hill Road in a PI zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: February 5, 1996.


Chairman

(ZBA DISK#13-012996.RMX)

Date 12/4/95, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553TO Frances Roth 147 Symmore Dr. DR.
New Windsor, NY 12553

DATE			CLAIMED	ALLOWED
11/27/95		Zoning Board Meeting	75.00	
		Misc. - 1		
		HRAC - 6		
		Rosenbaum - 6		
		Taromanides - 3		
		Roberts - 4		
		Dori Associates - 9		
		Olson - 10		
		Schlesinger - 3 13.50		
		Johnson - 3		
		<u>45 pp</u>	<u>202.50</u>	
			277.50	

SCHLESINGER/RE/MAX

MR. NUGENT: Request for additional sign, 3 ft. x 4 ft. for RE/MAX Gallery Office in variance of Section 48-18H(1)(a)[4] of the supplemental sign regulations which restricts two free-standing signs on same lot unless they are 300 ft. apart. Location: 293 Temple Hill Road in PI zone.

Dan Clarino appeared before the board for this proposal.

MR. CLARINO: Good evening. I'm here this evening as a followup to the preliminary meeting a couple of weeks ago with reference to an illuminated sign in front of a freestanding building next to Schlesinger's Steakhouse. The building previous to our usage had always been used or at least for the last few years had been used as a craft shop or a retail gift shop. We're using it as a non-manned information center, there will be no real traffic there, we hope to be able to replace the existing sign, there is a sign in front of the building now approximately 3 x 4, it is not illuminated, has been there I believe since the mid 80's. We hope to be able to simply replace our sign with that sign in its exact location.

MR. TORLEY: Sir, could you educate me, what's non-manned?

MR. CLARINO: I think it should be non-person. This gallery or this information center will be open during business hours but there will be no personnel there, just simply be a place where people can stop and pick up area information or maps or that type of information. There will be a phone that will be there that will give a direct link to our office across the street in the New Windsor Business Park if they want further information. But there won't be anybody sitting there waiting for somebody to stop in. The agenda read as an office, it really isn't an office, it's a gallery.

MR. TORLEY: Something similar to what they have in the Caldor, Vails Gate Caldor?

MR. CLARINO: Yes, I expect it would be something like that.

MR. KRIEGER: So the record should reflect that there's no one in the audience who cares to speak on this.

MS. BARNHART: Even though I sent out 11 letters on November 14, 1995, here's an affidavit stating so.

MR. TORLEY: That is about a record low for number of letters.

MS. BARNHART: Well, they are in a different area.

MR. LANGANKE: Mike, has the rest of, does the rest of this building meet the other various aspects of an office building like what governs it, does it have any setbacks or--

MR. BABCOCK: Well, it was a pre-existing building, I think it was a two-car garage for that building when it was originally built and it received planning board approval, they put an addition on that also and I assume they got variances at the time they did that addition or I don't to my knowledge I don't remember that.

MR. TORLEY: But there is a C.O. for the structure now?

MR. BABCOCK: That is correct.

MS. BARHNART: I have information on that.

MR. LANGANKE: Do you own the building or lease the building?

MR. CLARINO: We lease the building, Slesinger owns the building.

MR. NUGENT: Yes, it had a variance.

MR. BABCOCK: It, did okay.

MS. BARHNART: The Sotlands applied for a variance on

and received on August 12, 1985, they requested a use variance to convert existing residential dwelling to restaurant and an existing garage for food preparation and off-premises catering plus total side yard of zero/40 feet. That is all they were asked to do. And that was approved.

MR. NUGENT: Any further questions? I'll accept a motion then.

MR. KANE: Mr. Chairman, I move that we approve the variance for Schlesinger/RE/MAX for their requested variances.

MR. REIS: Second it.

ROLL CALL

MR. KANE	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

Prelim.

Nov. 13, 1995.

95-57

OFFICE OF THE BUILDING INSPECTOR -- TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: OCTOBER 23, 1995

APPLICANT: NEIL SCHLESINGER
296 TEMPLE HILL ROAD
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: OCTOBER 12, 1995

FOR (BUILDING PERMIT): 3FT. X 4FT. SIGN *

LOCATED AT: 293 TEMPLE HILL ROAD

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 3 LOT: 11
EXISTING COMMERCIAL SITE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. TWO FREE STANDING SIGNS ON THE SAME LOT WITH TWO SEPARATE ENTRANCES MUST BE AT LEAST 300FT. APART.

P.I. zone * Sec. 48-18 H(1)(a) [4]
of Supp. Sign Regs. Christ. Schmitt
BUILDING INSPECTOR

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF
APPEALS.

CC: Z.B.A., APPLICANT, B.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises Neil Schlesinger
Address 296 Temple Hill Road Phone _____
Name of Architect NONE
Address _____ Phone _____
Name of Contractor NONE
Address _____ Phone _____
State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the South side of Route 300. Temple Hill Road
(N.S.E. or W.)
and 1 mile feet from the intersection of Vaults Gate 5 Corners
2. Zone or use district in which premises are situated Commercial PL Is property a flood zone? Yes.....No X
3. Tax Map description of property: Section 4 Block 3 Lot 11
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy..... b. Intended use and occupancy.....
5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other X Sign 3' x 4' (see attached)
6. Size of lot: Front Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot?
7. Dimensions of entire new construction: Front..... Rear..... Depth..... Height..... Number of stories.....
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
Number of bedrooms..... Baths..... Toilets.....
Heating Plant: Gas..... Oil..... Electric/Hot Air..... Hot Water.....
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost 1500 Fee.....
(to be paid on this application)
11. School District Newburgh

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date...10/12.....1995...

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

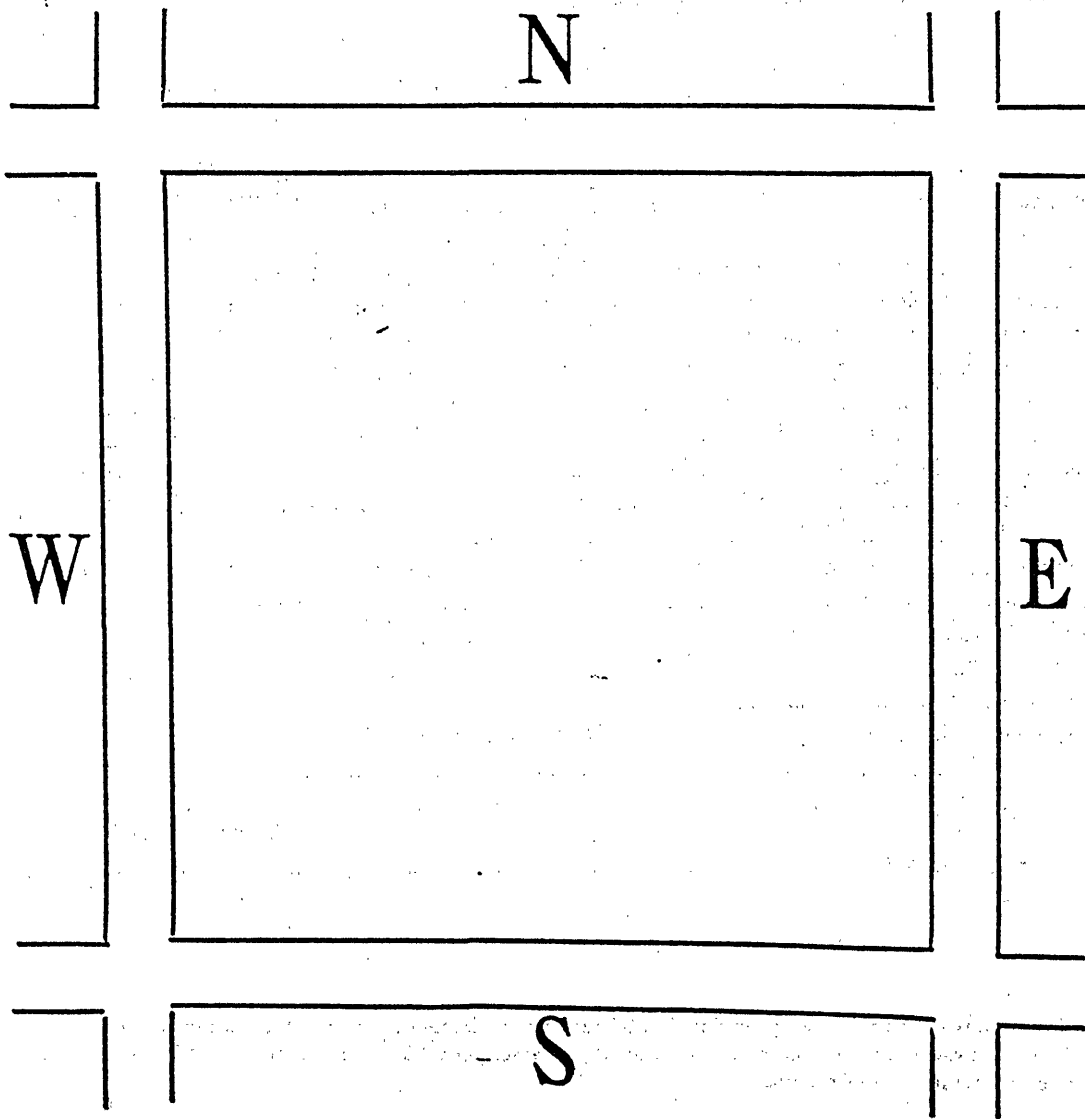
.....*Donch. Blanno*.....
(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.

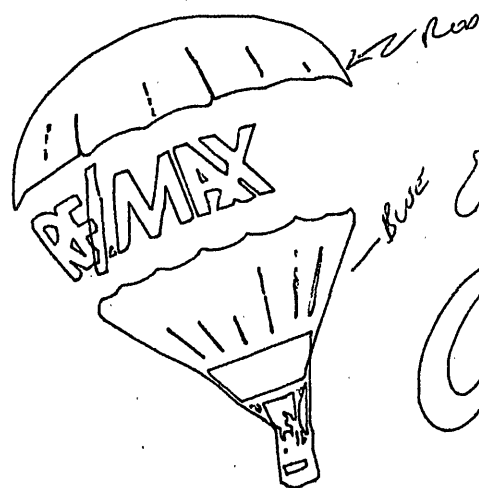


- [2] Such sign shall not exceed sixty-four (64) square feet, total all faces, nor be more than fifteen (15) feet above ground level, measured from the top of the sign to the average ground level at the sign base.
- [3] Such sign shall not be illuminated in a manner so as to create a hazard or nuisance to traffic or adjoining properties.
- [4] If the site has two (2) main vehicular entrances, the Planning Board may approve, at its discretion, one (1) additional full-size freestanding sign at the second entrance, but in no case shall the signs be spaced closer than three hundred (300) feet (measured along the road frontage).

(b) Facade signs.

- [1] For any nonresidential business site, in addition to any permitted freestanding signs, one (1) sign for each permitted business may be located on the building facade, with the sign face not to exceed two and five-tenths (2.5) feet (height) and ten (10) feet (width).
- [2] If the building face (at the location where the facade sign is to be mounted) is greater than three hundred (300) feet from the street (property) line which it fronts, the maximum permitted height of the facade sign can be increased to three and five-tenths (3.5) feet.
- [3] If a permitted business or establishment has more than one (1) main building entrance, one (1) additional full-size facade sign will be permitted, but in no case shall the additional sign be located on the same building face as the other permitted sign.

4i Posts
with



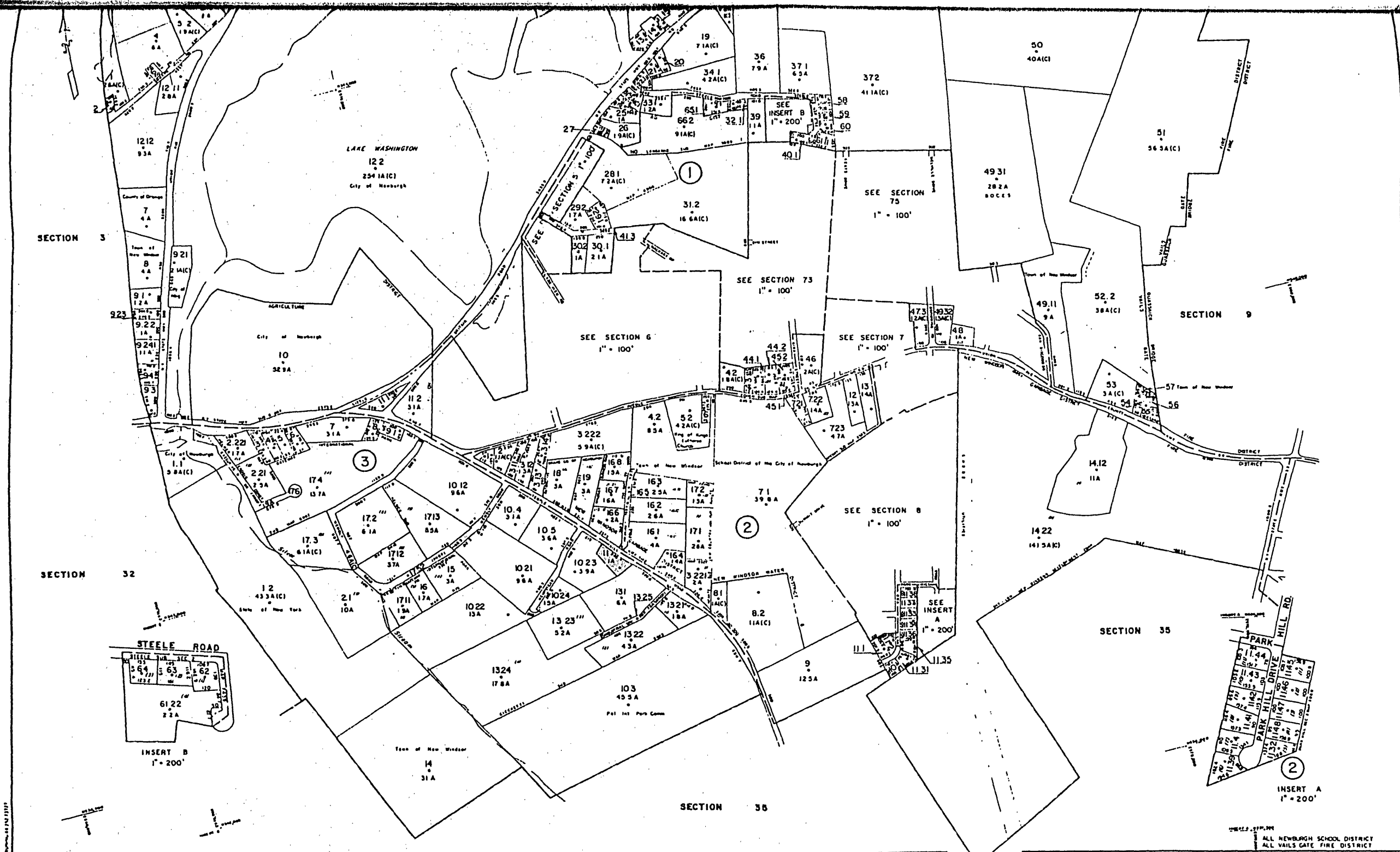
Above
the
Crowd! ← 2 pos

RE/MAX Benchmark Realty Group

INFORMATION GALLERY

Blue

Blue 6/8



Prepared by
 ORANGE CO. TAX MAP DEPT.
 1989
 FOR TAX PURPOSES ONLY
 NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	SEWERAGE LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	WATER LINE	AREA	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (shown as 1/2 inch)	COUNTY HIGHWAYS
PROPERTY LINE	AND COORDINATE CENTROID		TOWN ROADS

ORANGE COUNTY - NEW YORK
 Photo No. 8-496,497,498 Date of Map: 9-24-67
 Date of Photo: 5-1-65 Date of Revision: 3-1-91
 Scale: 1" = 400'

TOWN OF NEW WINDSOR
 Section No. 4

IN A PI ZONE.

4-3-10.24 LISS, IRWIN #72-12 USE VARIANCE DENIED
TEMPLE HILL RD.(AL'S TIRE) 6/19/72
CONSTRUCTION OF SERVICE CENTER FOR RETAIL SALE OF TIRES.
4-3-10.24 LISS, IRWIN USE VARIANCE GRANTED
TEMPLE HILL RD (AL'S TIRE) #72-17 8/21/72
CONSTRUCTION OF SERVICE CENTER FOR RETAIL SALE OF TIRES.

4-3-11 SOTLAND, MICHAEL & STEVEN/SLOAN USE VARIANCE GRANTED
TEMPLE HILL ROAD #85-30 PI ZONE 8/12/85
REQUEST FOR USE VARIANCE TO CONVERT EXISTING RESIDENTIAL DWELLING
TO RESTAURANT AND EXISTING GARAGE FOR FOOD PREPARATION AND
OFF-PREMISES CATERING, PLUS TOTAL SIDEYARD OF 0/40 FT.

4-3-17 - HELMER, WILLIAM F./COLUMBIAN ART WORKS, INC. AREA GRANTED
N/S WEMBLEY ROAD PI ZONE 89-11 03/27/89
REQUEST FOR (1) 19 FT. FRONTYARD (2) 10 FT. SIDE YARD, (3) 10 FT.
REAR YARD, (4) 21 FT. 8 IN. MAXIMUM BLDG. HEIGHT, AND (5) 0.154% FLOOR
AREA RATIO IN ORDER TO CONSTRUCT 57,000 S.F. OFFICE BUILDING WITH
WAREHOUSE SPACE LOCATED ON WEMBLEY ROAD IN PI ZONE.

5-5-5 LA VALLE, MARY AREA VARIANCE GRANTED
16 GOODMAN AVENUE #81-14 6/22/81
REQUEST FOR 5 FT. SIDEYARD VARIANCE FOR CONSTRUCTION OF
INGROUND POOL ON PREMISES IN R-4 ZONE.

5-1-54.1 GORDON CARPET OUTLET SIGN VARIANCE GRANTED
294 WINDSOR HIGHWAY #76-6 C ZONE 4/26/76
REQUEST FOR 77 S.F. SIGN AREA VARIANCE FOR BUILDING SIGN IN C
ZONE. PROPERTY OWNED BY JOHN COAKLEY.

6-1-11 WALSH, JOHN AREA VARIANCE GRANTED
20 CLARKVIEW ROAD R-4 ZONE #92-44 12/14/92
REQUEST FOR 6 IN. SIDE YARD VARIANCE FOR AN EXISTING DECK AND 6
FT. SIDE YARD VARIANCE FOR EXISTING SHED AT THE CLARKVIEW RESIDENCE IN
AN R-4 ZONE.

6-1-29 LEWIN & NUZZO USE VARIANCE DENIED
ROUTE 207/RB ZONE 6/16/69
CONST. GENERAL OFFICE/WAREHOUSE #69-11

6-1-31 LA ROCCA, FRANK/DORIS USE VARIANCE DENIED
ROUTE 207 #72-13 6/19/72
CONST. OF GENERAL STORE AND BAIT SHOP IN RB ZONE

6-1-32 RONSINI, RICHARD USE VARIANCE GRANTED
628 UNION AVE./RB ZONE #69-8 6/16/69
REQ. BEAUTY SHOP IN CONVERTED GARAGE

6-3-15 KIEVA, STEVEN/ELLEN AREA VARIANCE GRANTED
1 MITCHELL LANE R-4 ZONE #93-25 09/13/93
REQUEST FOR 14 FT. 6 IN. SIDE YARD VARIANCE TO CONSTRUCT A
SCREENED-IN PORCH LOCATED ON MITCHELL LANE IN R-4 ZONE.

4-3-10.5 → Crowley Foods Inc.
Hempstead Rd.
NW.

~~10.21~~

~~10.23~~

~~10.24~~

~~13.1~~

~~13.23~~

~~13.25~~

~~13.22~~

~~13.21~~

~~4-2-16.1~~

~~16.2~~

~~16.3~~

~~16.4~~

~~4-2~~

~~16.6~~

~~16.7~~

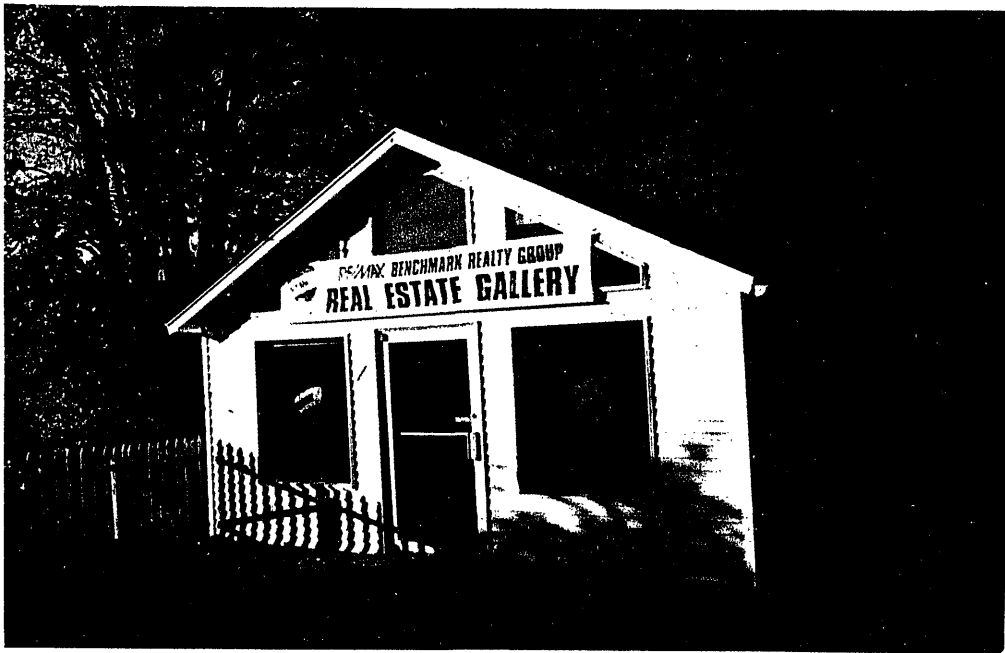
~~4-2-3.221~~

~~4-2-18~~

~~4-2-19~~

~~4-2-17.1~~

STOP BY AND VISIT THE
**RE/MAX BENCHMARK REALTY
GROUP
REAL ESTATE GALLERY**



NEXT TO SCHLESINGER'S STEAK HOUSE, ROUTE 300, NEW WINDSOR
ONE MILE SOUTH OF STEWART INTERNATIONAL AIRPORT

*** MORTGAGE OPPORTUNITIES ***

*** HOMES AVAILABLE ***

*** AREA INFORMATION ***

*** SATURDAY HOME BUYING
WORKSHOPS ***

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Variance of

Schlesinger/Re/Max

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

95-57.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On November 14, 1995, I compared the 11 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart

Sworn to before me this
14th day of November, 1995.

Robert Miller
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

(TA DOCDISK#7-030586.AOS)

Pls. publish immediately. Send bill to Re/MAX at. 100 Commerce Dr.
New Windsor, N.Y. 12553
Attn: Dan Clarino

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York, will hold a Public Hearing
pursuant to Section 48-34A of the Zoning Local Law on the
following Proposition:

Appeal No. 57

Request of 293 TEMPLE HILL ROAD INC./RE/MAX BENCHMARK REALTY
GROUP,
for a VARIANCE of the Zoning Local Law to permit:

two free-standing signs on parcel with less than the allowable distance
(300 ft.) between signs;

being a VARIANCE of Section 48-18H(1)(a)[4] of the Supplemental
Sign Regulations;

for property situated as follows:

293 Temple Hill Road, New Windsor, N. Y. 12553

known as tax lot Section 4 Block 3 Lot 11.

SAID HEARING will take place on the 27th day of November,
1995, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P. M.

JAMES NUGENT
Chairman

By: Patricia A. Barnhart, Secy.

LEASE AGREEMENT

The parties agree as follows:

DATE OF THIS LEASE:

July 15, 1995

LANDLORD:

293 TEMPLE HILL ROAD, INC.

Address for notices:

NEIL SCHLESINGER, Pres.
293 Temple Hill Road
New Windsor, New York 12553

TENANT:

DANIEL B. CLARINO, INC.

Address for notices:

RE/MAX BENCHMARK REALTY GROUP
100 Commerce Drive, Suite 105
New Windsor, New York 12553

TERM:

One year ^{17 days} commencing ^{July 15, 1995} ~~August 1, 1995~~ and ending on July 31, 1996, unless sooner terminated as provided herein.

OPTION:

Provided Tenant has complied with the terms and conditions of this Lease Agreement, Tenant may extend the term of this lease for two (2) additional one-year terms.

Tenant must exercise this option in writing at least 60 days prior

to the termination of the then-current term.

PREMISES RENTED:

Free standing building next to Schlesinger's Steakhouse (currently basket shop) 293 Temple Hill Road, Town of New Windsor. Premises may be used only for non-residential and non-retail use as the certificate of occupancy may allow and for no other purpose.

RENT:

Tenant will pay the rent to Landlord as follows: \$ 525.00 on or before the 1st day of August, 1995, and a like amount being due and payable on the 1st day of each and every month thereafter as long as the tenancy remains in effect.

Tenant may occupy the premises from July 15, 1995 through July 31, 1995 at no rental charge.

AGREEMENT TO LEASE AND PAY RENT AND UTILITIES:

Landlord leases the premises to Tenant for the term. Tenant agrees to pay the rent, heat (oil), electric and telephone charges. Landlord shall be responsible for the water, sewer and real estate taxes without demand. Tenant agrees to do everything required in the lease. Tenant shall have all utilities placed in Tenant's name and shall be responsible for the payment of same. Landlord shall not be responsible for the failure to deliver any utility.

DEFAULT:

If Tenant fails to pay the rent, or any part of its rent when it becomes due, or defaults in performing any other covenant of this lease, the Landlord may sue for it, and/or use any legal remedy to re-enter the premises.

ATTORNEY'S FEES:

That in the event either party has to expend any funds to enforce the terms and conditions of this lease, including but not limited to three day notices, thirty day notices, a summary proceeding, and/or any occurrence concerning the violation of any rule or regulation of the occupancy, the prevailing party shall be entitled, in addition to the allowable court costs and

disbursements, reasonable attorney's fees.

WAIVER OF JURY TRIAL:

If either party has to start a Court proceeding because of any breach by the Tenant of the terms of this lease, the both Landlord and Tenant waive trial by jury and permits any trial to be held before a judge.

AS IS

Tenant has inspected the premises and states that they are in good order and repair and takes the premises "as is" as of the date hereof.

REPAIRS:

Tenant shall take good care of the premises and shall at its own cost and expense make any necessary repairs to the premises, ~~or~~ ^{and replacements} ~~replacements~~ with the exception of structural repairs which shall be the responsibility of the Landlord, unless due to tenants acts or omissions and, in addition thereto, Tenant shall be responsible for normal maintenance. The Tenant shall notify the Landlord immediately of any electrical, plumbing, heating problems, or structural repairs with regard to the premises. ^{including fixtures and system}

ORDINANCES:

Tenant shall be responsible for complying with all ordinances, laws and rules which effect the use and enjoyment of the subject premises, except for violations caused by the Landlord.

Tenant may erect a sign at the premises so long as it complies with the local laws of all governmental agencies. The size and location of said sign must be approved, in writing, by landlord.

ASSIGNABILITY:

Tenant shall not assign this lease or sublet the premises without the express written permission of the Landlord.

ALTERATIONS:

Tenant shall not make any structural alterations, additions or improvements to the premises without the express written permission of the Landlord. Any additions, alterations or improvements that may be made shall be the property of the Landlord.

LAWN, PARKING LOT MAINTENANCE AND SNOW REMOVAL:

Landlord agrees to keep the premises free from snow and ice. The Landlord also agrees to provide lawn maintenance. Tenant shall remove all trash from the premises at its sole cost and expense.

NOTICE IN CASE OF FIRE AND/OR DAMAGE:

Tenant shall in case of fire or other damage to the premises, give immediate notice thereof to the Landlord who shall thereupon cause the damage to be repaired forthwith; but if the premises be so damaged that the Landlord shall decide not to rebuild, the term shall cease. (P)

RIGHT OF LANDLORD TO ENTER PREMISES:

Tenant agrees that the Landlord, ^{his} ~~his~~ agents and other representatives shall have the right to enter into and upon said premises, upon 24 hour notice or in an emergency without notice or any part thereof, at all reasonable hours for the purpose of examining the same, or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. Tenant must deliver a key to the premises upon commencement of lease.

LIABILITY INSURANCE:

Additional During the term of this lease, the tenant shall provide and keep in force for the protection of both the landlord and the tenant as ~~named~~ insured a general liability policy on the leased premises or any appurtenances thereto. Such policy or policies shall be written with the limits of not less than \$100,000.00 Dollars with respect to bodily injury and single limit coverage property damage. The tenant shall deliver a Certificate of Insurance which shall provide that such insurance may not be cancelled without notice to the landlord of at least ten (10) days. In the event of such cancellation the Landlord may provide such insurance and charge the costs of the same as such additional rent unless the tenant shall

replace such insurance prior to its effective cancellation.

END OF THE TERM:

Tenant agrees that at the end of the term it will surrender the premises in as good condition as now, except for ordinary wear and damage by fixed elements.

LATE CHARGES:

That in the event any monthly rental payments are received more than Ten (10) days after the due date, there shall be added to the amount due, as and for a late charge, Five Dollars (\$ 5.00) per day after said ten day grace period.

PARKING LOT:

Landlord agrees to provide at least Three ^d (3) parking spaces in the parking lot in front of leased building for use by Tenant and its visitors.

SUCCESSORS:

Unless otherwise stated, the lease is binding on all parties who lawfully succeed to the rights or take the place of the Landlord the Tenant.

CHANGES:

This lease can be changed only by an agreement in writing signed by the parties to the lease.

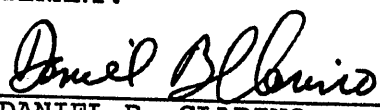
SIGNATURES:

The parties have signed this lease as of the date first above-written.

LANDLORD:


293 TEMPLE HILL ROAD, INC.
By: Neil Schlesinger, Pres.

TENANT:


DANIEL B. CLARINO, INC.
By: Daniel B. Clarino, Pres.

Date 11/22/95, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Syracuse Dr DR.
New Windsor NY 12553

DATE			CLAIMED	ALLOWED
11/13/95		Zoning Board Mtg	75 00	
		Misc - 2		
		Langanke - 4		
		Rhodes - 3		
		Kimber - 8		
		Upstate - 4		
		Schlesinger - 5 #22.50		
		Johnson - 3		
		McCarville - 3		
		32	144 00	
			219 02	

SCHLESINGER/RE/MAX:

MR. NUGENT: Request for additional sign, 3 ft. x 4 ft. for RE/MAX, in variance of Section 48-18H(1)(a)[4] of the supplemental sign regulations which restricts two free-standing signs on the same lot with two separate entrances unless they are at least 300 feet apart. Location: 392 Temple Hill Road in PI zone.

Mr. Daniel Clarino appeared before the board for this proposal.

MR. CLARINO: I am broker owner of RE/MAX Benchmark Realty Group. This is a building that we're putting an information gallery for our company, sits right next to Schlesinger's Steakhouse on the same parcel. Prior to our leasing the property, it was used as a gift shop basket gift type of a place. What we're seeking to do is we're seeking to be able to replace the sign that is now there and as far as I know, it's been there for a number of years when that location was used as a retail location for gift basket business. We'd like to be able to replace that sign with an illuminated sign 3 X 4 and a copy of that sign is before you. My understanding that by statute the signs are too close to each other, that is why I'm here today to see if I can get the variance.

MR. NUGENT: You're referring to the small sign in the corner?

MR. CLARINO: Yes.

MR. NUGENT: You don't have any idea how long that sign's been there?

MR. CLARINO: I don't.

MS. BARNHART: It's been there since 1985, this is when the Sotlands came in and they got approval, a use variance to convert the existing residential dwelling to a restaurant and existing garage for food preparation and off-premises catering but they didn't get the sign, they didn't get any sign approvals.

MR. TORLEY: Now we have two separate business entities on the one lot.

MR. NUGENT: That is correct.

MR. LANGANKE: Does that present sign meet the requirements, Mike, closeness to the highway, height, size?

MR. BABCOCK: I didn't personally do the review but to my understanding, it does meet all the codes and Ernie brang it to my attention about two signs on the same lot and I said all you have to do is check, make sure they are 300 feet apart which I assume that lot was that size and he asked somebody and they found out it wasn't 300 feet. We were ready to issue the building permit and then he asked me about the two signs.

MR. LANGANKE: Can he have a billboard type sign?

MR. BABCOCK: 64 square feet he's allowed total both sides that is a 4 x 8 sheet of plywood both sides 32 square feet each side.

MR. NUGENT: Do you know how far they are apart?

MR. CLARINO: 150 or 160 feet apart, I believe the one sign is right in front of the restaurant itself.

MR. BABCOCK: The property is more than 300 feet long, it's just that Schlesinger's sign is way up in front of the main building, if they were down farther, it wouldn't be a problem.

MR. CLARINO: The lot is over an acre.

MR. LANGANKE: How close together are the signs?

MR. CLARINO: About 100 to 160 feet right now.

MR. LANGANKE: Do they create any kind of safety problem?

MR. CLARINO: I don't believe they do.

MR. LANGANKE: If people are exiting the parking lot they can see the highway clearly in both directions?

MR. CLARINO: I believe so, yes, sir.

MR. REIS: This photograph is very recent.

MR. CLARINO: As recent as Wednesday or Thursday.

MR. REIS: The sign still remains?

MR. CLARINO: Yes.

MR. NUGENT: Do you know the approximate size of the sign that is existing?

MR. CLARINO: I don't but it's probably roughly the same size, our sign will be 3 x 4, that looks to be, it's at least that size, maybe even larger.

MR. NUGENT: He's allowed 64.

MR. BABCOCK: That is correct.

MR. NUGENT: 3 x 4 is only 24.

MR. BABCOCK: 24, yeah.

MR. REIS: This will be illuminated from the interior?

MR. CLARINO: Inside.

MR. KRIEGER: That would be steady illumination, not any kind of flashing?

MR. CLARINO: It will be steady when it's dark but it won't flash.

MR. LANGANKE: That is allowed under the new code, correct?

MR. KRIEGER: Yes.

MR. LANGANKE: Illuminated signs?

MR. BABCOCK: Yes but non-flashing, it cannot flash.

MR. CLARINO: This will not flash.

MR. TORLEY: So the problem is basically Schlesingers and their sign are too close together?

MR. BABCOCK: Yes.

MR. LANGANKE: So if he got Schlesingers to move his sign, he wouldn't have to be here?

MR. BABCOCK: That is correct.

MR. LANGANKE: But rather than do that, he's asking for a variance.

MR. BABCOCK: That is correct, I'm sure Schlesingers would much rather have their sign in front of the building, it's a pretty long parking lot.

MR. KRIEGER: They'd have to move it another 150 feet.

MR. CLARINO: I wouldn't even pretend to try and ask them, these signs are not close, just too close by your regulations, they are quite a ways apart.

MR. LANGANKE: I don't have anymore questions.

MR. REIS: Accept a motion?

MR. NUGENT: Yes.

MR. REIS: I make a motion that we have Mr. Clarino proceed with his request for a variance for the sign, set him up for a public hearing.

MR. LANGANKE: Second it.

ROLL CALL

MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MR. KRIEGER: Dan, at the public hearing for an area variance, you may have heard me speak to the other gentleman, the criteria that the state has required for the Zoning Board of Appeals are set forth here, if you would address yourself to those when you come in that would be helpful. If they have either the, either or both of the deed or title policy for the property, I would like to look at them at the hearing. Again, I don't need to keep them. I don't want copies, just look at them, give them back.

MS. BARNHART: I'll give him a proxy and have Mr. Schlesinger sign it.

MR. CLARINO: Thank you so much. Have a good evening.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

95-57

Date: 11/13/95

I. Applicant Information:

- (a) 293 TEMPLE HILL ROAD INC., 88 Station Road, Rock Tavern, N. Y. 12575
(Name, address and phone of Applicant) (Owner)
- (b) RE/MAX BENCHMARK REALTY GROUP, 100 Commerce Drive, New Windsor, N.Y.
(Name, address and phone of purchaser or lessee)
- (c) -
(Name, address and phone of attorney)
- (d) -
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. Property Information:

- (a) PI 293 Temple Hill Road 4-3-11 1 acre +
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes.
- (d) When was property purchased by present owner? 10/25/94.
- (e) Has property been subdivided previously? Yes.
- (f) Has property been subject of variance previously? Yes.
If so, when? 8/12/85.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a
- _____

IV. Use Variance. n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

(b) ^{n/a} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No x.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: ^{n/a}

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

^{n/a}
(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

n/a

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48-18H(1)(a)[4] of the Supplementary Sign Regulations.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. n/a.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (___) \ Denied (___)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

293 TEMPLE HILL ROAD INC./RE/MAX BENCHMARK REALTY GROUP
VARIANCE FOR SIGN #95-57

(Continued from Page 3)

This is a request for a variance to allow a proposed sign, 3 ft. x 4 ft., with the RE/MAX logo, to be placed less than 300 ft. from the Schlesinger Steak House sign, located at 293 Temple Hill Road in a P. I. zone. Section 48-18H(1)(a)[4] of the Supplementary Sign Regulations prohibits such use on an individual parcel of property. The sign proposed by Applicants will be unobtrusive and will not obscure or inhibit any sight visibility or cause traffic hazards.

Since this is a proposal for a new use, a real estate gallery office within the town, it is necessary to establish an identity for motorists and customers traveling on Temple Hill Road at about 45 to 50 mph in order to be able to have an unobstructed view when passing by the newly created real estate gallery.

It is the feeling of the Applicants that a desirable change would be produced in the character of the neighborhood and no detriment would be caused to the nearby properties in view of the fact that the parcel is zoned for commercial use and that the existing signage is pre-existing.

Applicants have reviewed the sign regulations in the PI zone, specifically with respect to Section 48-18H(1)(a)[4] of the Supplementary Sign Regulations. Because of this section of law, there is a limitation which does not allow two signs to be placed on a commercial piece of property less than 300 ft. apart. Applicants feel that they may not be able to achieve their goal for placement of a new sign without the benefit of the variance procedure and that there is no other method which is feasible to applicant other than the variance procedure.

Applicants are seeking a sign variance which is not considered substantial since the proposed sign will be only 3 ft. x 4 ft. in area. A tasteful sign such as the one which is proposed is imperative for today's competitive market. Therefore, Applicants feel that this sign variance request is not substantial.

Applicants feel that the granting of the variance will not be detrimental to the health, safety or welfare of the neighborhood or community or have an adverse effect on the physical or environmental conditions since the property is zoned for commercial businesses of this type.

Applicants do not feel that this request constitutes a self-created hardship because the sign is pre-existing and Applicants are in the process of obtaining all of the municipal approvals for the proposed structure.

PROXY AFFIDAVIT

SUBMISSION OF APPLICATION FOR VARIANCE # 95-57

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

STATE OF NEW YORK)

) SS.:

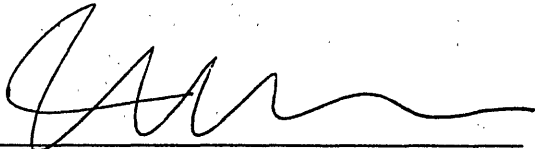
COUNTY OF ORANGE)

Neil Schlesinger

, deposes and says:

I am the OWNER of a certain parcel of land within the TOWN OF NEW WINDSOR designated as tax map SECTION 4 BLOCK 3 LOT 11. I HEREBY AUTHORIZE Daniel Clarino of RE/MAX Benchmark Realty Group (company name) to make an application before the ZONING BOARD OF APPEALS as described in the within application.

Dated: November 10, 1995.


(Signature of Owner)

Sworn to before me this

10th day of November, 1995.

Suzanne M. Sweeney
Notary Public

SUZANNE M. SWEENEY
Notary Public, State of New York
No. 01SW4821554
Appointed in Orange County
My Commission Expires March 14, 1996

(ZBA DISK#1-060895.PXY)